

<< See back of page >>

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PTO/SB/64 (01-08)

Approved for use through 02/29/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor:

Application No.: 10/726,897

Art Unit: 2186

Filed: 12/04/2003

Examiner:

Title: Use of wireless devices' external storage

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 77.6 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

☒ has been filed previously on 12/21/2004
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☒ has been paid previously on 12/4/2003
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Please see back side for page 2

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply, until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Sheng Tai Tsao
Signature

2/19/2008
Date

(SHENG TAI TSAO)

SHENG TAI (TED) TSAO
Typed or printed name.

Registration Number, if applicable

2979 HEIDI DRIVE, SAN JOSE, CA 95132 408-813-0536
Address Telephone Number

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

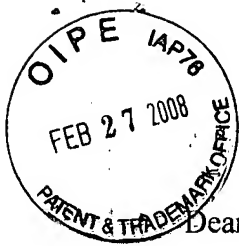
I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Sheng Tai Tsao
Signature
SHENG TAI TSAO
Typed or printed name of person signing certificate



Petition For Recovering of Abandoned Application 10/726,897

Dear Ladies and Gentlemen:

I didn't aware that the 10/726,897 application entitled "Use of Wireless Devices' External Storage" with filing date of 12/4/2003 by me "Sheng (Ted) Tai Tsao", was abandoned until yesterday (2/14/2008). I think this is an unintentional abandonment based on following facts:

- 1) 12/4/2003 ---- is the filing date of 10/726,897, which USPTO sent me with confirmation No. 4178, mailed to me on 3/5/2004.
- 2) 3/5/2004 ----- USPTO also sent me a Notice to file missing part with requirement of substituting a single lined specification with double lined specification and plus \$75 dollar for processing fee.
- 3) between ----- I never receive any notice of abandonment for this application from USPTO. Also, I had drafted a double lined specification to compliance with standard, which may be sent to USPTO during this period of time or at least sent on 12/21/2004.
- 4) 12/21/2004 --- I have a record from bank statement for a check of \$75 dollar which paid on 12/21/2004 to USPTO in response to Notice to file mission part for 10/726,897. (see attached bank statement).
- 5) 1/30/2008 ---- I have filed a preliminary amendment for 10/726,897 because I have found that the original-specification does not compliance with standard format of USPTO as well as some grammatical error.
- 6) 2/14/2008 ----- I curiously called USPTO to check status of this application and the staff of USPTO told me that the 10/726,897 was abandoned.

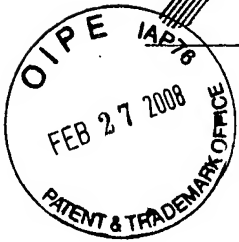
All of above have indicated that the abandonment of this application is unintentional and I hope that USPTO can help me to recover from this abandoned application 10/726,897.

Thanks for your help, sincerely.

Sheng Tai (Ted) Tsao (the inventor of 10/726,897)
2979 Heidi Drive,
San Jose, CA 95132.
408-813-0536
ted.tsao@sttwebos.com
02/15/2008

Silicon Valley Bank

Statement of Account



THIS STATEMENT DATE 1-31-05
 LAST STATEMENT DATE 12-31-04
 ACCOUNT NUMBER 3300393761
 ENCLOSURE DEBITS 1

SHENG TAI TSAO
 DBA STT SYSTEMS
 1650 ZANKER ROAD STE 240
 SAN JOSE CA 95112

3300393761

PERSONAL CHECKING

PREVIOUS BALANCE	12-31-04	1,426.99
+DEPOSITS/CREDITS		.00
-CHECKS/DEBITS	1	75.00
-SERVICE CHARGE		.00
CURRENT BALANCE		1,351.99

* - - - - -		-CHECKS PAID-		* - - - - *	
SERIAL #	DATE	AMOUNT	SERIAL #	DATE	AMOUNT
1069	1-27	75.00			
* - - - - *					
DATE		BALANCE	-DAILY BALANCE SUMMARY-		DATE
12-31		1426.99	DATE	BALANCE	
			1-27	1351.99	

PAGE 2

SHENG TAI TSAO DBA STT SYSTEM 1650 ZANKER ROAD, STE 240 SAN JOSE, CA 95112 PH: 408 812-2596		1069 DATE 12/21/2004
PAY TO THE ORDER OF <u>U.S. Patent Office (Small entity)</u>		\$ <u>75.00</u>
<u>Seventy five dollars</u>		DOLLARS
Silicon Valley Bank 2 Palo Alto Square, Suite 100 Palo Alto, California 94306 415-853-4000		
MEMO <u>1069 10/26/897</u>		<u>Sheng Tai Tsao</u>

#1069 Paid 1/27/05 \$75.00